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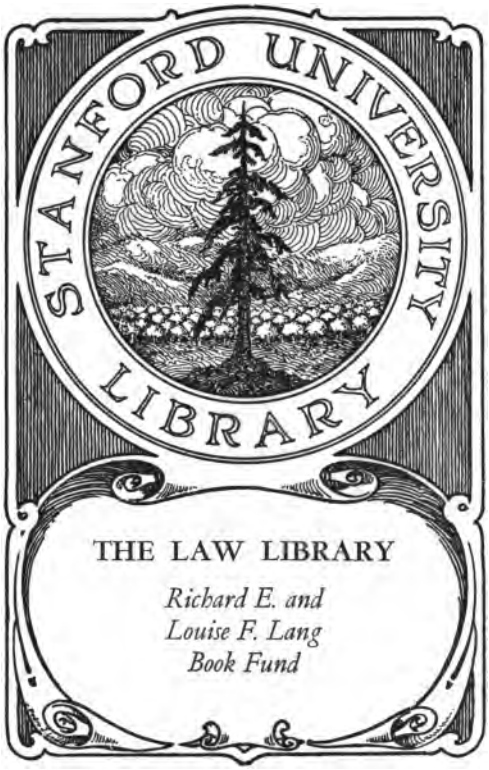
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DOYLE

CRIM CON.

A

FULL, FAITHFUL, AND IMPARTIAL

REPORT

OF THE

TRIAL,

WHEREIN

SIR JOHN M. DOYLE, K.C.B. & K.T.S.

WAS PLAINTIFF:

AND

GEORGE PETER BROWN, Esq.

DEFENDANT.

FOR

CRIMINAL CONVERSATION WITH THE PLAINTIFF'S WIFE,

THE

Damages were laid at £30,000;

WITH AN APPENDIX,

Containing all the extraordinary

LETTERS,

which passed between the parties, &c. &c.

TRIED IN THE COURT OF COMMON PLEAS, DUBLIN,
BEFORE THE RT. HON. LORD NORBURY,
AND A SPECIAL JURY,
On Monday and Tuesday, the 23d and 24th of May, 1820.

TAKEN IN SHORT HAND BY AN EMINENT REPORTER.

DUBLIN:

PRINTED BY JAMES CHARLES, NO. 57, MARY-STREET,
And Sold by all the Booksellers.

1820.

CRIM CON.

COMMON PLEAS, MONDAY, MAY 23d.

Sir John Milley Doyle, K. T. S. Plaintiff.
George Peter Brown, Esq. Defendant.

BEFORE THE RT. HON. LORD NORBURY, AND THE FOLLOWING SPECIAL JURY:—

ALDERMAN MATTHEW WEST, FOREMAN.

HUMPHRY MINCHIN, ESQ.
RICHARD COOKE, ESQ.
SAMUEL W. TYNDALL, ALD.
JOHN DUNCAN, ESQ.
NICKMAN KEARNEY, ESQ.
ISAAC STEWART, ESQ.
EDWARD CROKER, ESQ.
GEORGE DREVER, ESQ.
NATHANIEL CALLWELL, ESQ.
ROBERT ARMSTRONG, AND
RICHARD ROBINSON, ESQRS.

The Declaration was as follows:—

County of the City of Dublin, to Wit. } George Peter Brown, was attached to Answer Sir John Milley Doyle, by Henry Ryan, his Attorney.—Complains for that the said George Peter Brown, on the 13th day of November, in the year one thousand, eight hundred and nineteen, and divers other days and times between that day and the commencement of this

Suit, with force and arms and soforth, Assaulted and Illtreated Mary Doyle, then and still being the Wife of the said Sir John Milley Doyle, to wit. at Dublin aforesaid in the County of the City of Dublin, aforesaid, and then and there Debauched and Carnally knew her, whereby he the said Sir John Milley Doyle, for a long space of time to wit. from the day and year first above written, hath hitherto wholly lost and being deprived of the comfort, fellowship, and assistance, of his said wife in his domestic affairs, which he the said Sir John Milley Doyle, all that time ought to have had and otherwise might, and would have had, to wit. at Dublin aforesaid, in the County of the City aforesaid, and other wrongs to the said Sir John Milley Doyle, then and there did against the Peace of our said Lord the King. and to the damage of the said Sir John Milley Doyle, of Thirty Thousand Pounds sterling, and therefore brings his Suit and soforth.

As of Hillary Term in the Sixtieth Year of the Reign of King George the Third and soforth, and in the Year One Thousand Eight Hundred and Twenty.

HENRY RYAN, PLAINTIFF'S ATTORNEY.

HOLWELL WALSH.

To which the Defendant Pleads the general issue.

Before the Jury were sworn, SERJEANT JOY, applied to his Lordship to postpone the trial; and handed in two affidavits, in which it was sworn, that Rosina Wheeler, niece to the Plaintiff; Ann Graig, servant maid, William Cruise, and the Rev. John Collins, were material witnesses for the defendant, and that every exertion had been made to serve them with *subpænas* in London, where they were residing, but without success. The defendant also swore, that he believed they were kept out of the way by the Plaintiff; and that he could not proceed to trial, with safety, in their absence.

SERJEANT BURTON, opposed the application, upon the grounds of insufficiency in the affidavits, inasmuch as they did not state that there were expectations that the witnesses could be procured. He repelled the imputation of their having being kept out of the way by the Plaintiff.

LORD NORBURY held the affidavits to be insufficient, to warrant a postponement of the trial.

The Jury were then sworn, and

Mr. Fox, opened the pleadings. My Lord and Gentlemen of the Jury, the declaration stated this to be an action of tresspass, *vi et armis*, for assaulting and debauching the plaintiff's wife.—The damages are laid at £30,000 and the defendant has pleaded the general issue.

Mr. HOLWELL WALSH, as counsel for the plaintiff, stated the case. The excessive crowd and the great pressure in the court prevented our note taker from executing his duty in his accustomed style. It would be doing great injustice to that gentleman's abilities if we did not apprise our readers that the following is only an outline of a most brilliant flowing eloquent affecting speech, as ever we have heard delivered in any court of justice: and may serve to connect and explain the facts which appeared in evidence.

Gentlemen I am in this case counsel for the plaintiff, and my learned friend, Mr. Fox, has stated to you the nature of the action: the plaintiff asks you for the only redress which the laws of his country afford, for the deepest civil injury which one man could inflict upon another. In many instances, the attempt to receive adequate compensation for such an injury had proved unavailing; and if that was the case in many instances, it would be peculiarly so here; for if ever there was a case where the infliction of an injury had been wanton and irreparable—if ever there was a case where the wrongs of a plaintiff had been aggravated by his virtues—and if ever there was a case where the motives of the seducer were cold, crafty, and speculative; this was that case.

Sir John Milley Doyle, a Knight Commander of the Bath, and a Lieutenant-Colonel in the army, is the plaintiff. The defendant is George Peter Brown, Esq. of one of the most ancient and opulent families in that part of the country; is son to Mr. Browne, of Castle Mount-Garret, and brother to the present Member of Parliament for the County of Mayo. His client too, although at an humble distance, could boast of a respectable descent. He was by nature and inheritance a soldier; and had added lustre to the luminous page of modern history; ardent, ingenuous, and honourable, living in the tented field; he had fought in those battles in which it was said that England fought less for glory than existence. He had also fought in the Egyptian campaign, having commenced his glorious career under the immortal Abercrombie, and continued it until our illustrious countryman completed the conquest of Egypt. He commenced under a good master, whose example fired his young heart. On his landing in Egypt, the 8th of March, 1801, he fought by the side of his chief: and on the ever memorable 21st March, he beheld that venerable hero take more than a soldier's share in the toils of the fight; not viewing it from a distant eminence, but ming-

ting in the thickest of the throng; shaking the snowy locks of seventy years from his forehead, like the dew drops from a lion's mane, in proud self reliance he advanced against the foe, and bravely fell in the hour of triumph: whilst his gallant and devoted followers, when they beheld his heart's blood flowing, were maddened, less by the victory they had atchieved, than the loss by which it had been acquired. Such were the auspices, under which this boy soldier commenced his career in arms, and during the long and eventful period from the peace of Amiens, to the year 1818, was, with one exception, in constant active foreign service. He was distinguished by all the eminent generals under whom he served, and amongst others, repeated and honourable mention was made of him by the Duke of Wellington, that great man who was alike above all praise and all rivalry, and who was the most splendid contribution Ireland ever made to the glory of the British Empire. As public testimonials of his merit, he was honoured with five crosses and various badges, and all these honours were sanctioned and approved by his royal master at home, who to crown his reward was pleased to confer upon him the high distinction of Knight Commander of the Bath. In 1818, he returned to his country, nobly encumbered with honours. There was no small credit due to him for raising himself to his honourable station, the second son of a Protestant Curate, with no inheritance but Le Fevre's, "his good sword which served him in twenty battles." A parent's blessing went out with him; a soldier's honours returned with him—and when had the most splendid patrimony done more. Behold him then locked in the embraces of a doating mother; and, oh! what a son for her to welcome! laden with honours; his spirit buoyant with the consciousness of well merited deserts, he hoped to enjoy them in domestic happiness, until the trumpet call of glory should summon him to fill a bed like Abercrombie's. Thus in the morn of his life, without a

cloud upon the horizon of his happiness, his enjoyments could only be heightened by participation. Upon his arrival in Dublin, his society was courted by every person of rank; amongst others he was paid this compliment, in an evil hour, by Major Bryan; whose pressing invitation to spend a part of the summer at his country seat, he accepted of.

The gay and thoughtless soldier found himself happy here, heedless of the cause; but time was doing its silent work, and in its imperceptible progress discovered to him the charm which attracted him, in the only daughter of his host. She was then 18 years of age, young, lovely, and accomplished; her manners at once was the most captivating and unaffected, did not charm him less than the graceful symmetry and exquisite beauty of her person. Her vivacity lighted up by genuine innocence, was chastened by that indescribable ease and elegance of manner which bespoke the early cultivation of the best society. Sir John was neither of the age or the constitution to look upon such an object with indifference: and he found that the fascination of her society was not lessened by time. On the other side it was not extraordinary that a soldier, and a gallant one, should awaken new sensations in a young and tender heart.—Upon the discovery of their mutual affections he applied to her father, and both parents, who had left her free, were now delighted to ratify the choice she had made. On the first of September, 1817, they were married, and never did that altar, at which their vows were consecrated, command fairer or brighter prospects for its votaries. Soon after they went to London on a visit to her aunt Miss Bryan. They had also another object in going, which he mentioned as one evidence of the tender solicitude with which she loved her husband. She was proud of her soldier, she gloried in the perils he had encountered, now that they were gone by; but she trembled at the idea of future casualties, from the

apprehension of a blow that might blast her happiness for ever. In short she entered on a fond relentless persecution to persuade him to leave the army, and he at length yielded to her tender expostulations, and consented to relinquish that profession, which he loved only less than her—which was her only rival. However his uncle, General Sir John Doyle was then in London, and he remonstrated with him so effectually, that Lady Doyle was induced to submit. They accordingly returned to Cork where he was stationed and he continued the discharge of his military duties until March 1819, when he was visited by a severe attack of the bile which obliged him to have recourse to the cheltenham waters. They repaired to Dublin, from which he proceeded to Cheltenham having left Lady Doyle under the protection of her revered mother. It was now even now, when the husband was struggling with illness in Cheltenham, and whilst the wife was under the sacred shelter of a mother's eye, that the defendant began to play off those arts against the honour of this Lady, which has since effected her destruction. Mr. Brown had been long known to Major Bryan; he was by prescription looked upon as one of the family. The father entrusted him—the mother loved him as a son. The daughter received him with all the innocent cordiality of a sister; and this free, familiar, and unreserved intercourse, so strong a barrier arose betwixt them and suspicion, that in her train of admirers he was never named as one. In two years after this, reflect only how soon the assumed character of the friend facilitated the designs of the adulterer. His frequent visits excited no suspicions. A short time previous to this, Miss Bryan, her aunt, made no secret of her testamentary intentions. Heaven had blessed her with a benevolent heart, and with splendid wealth. Her piety was such, that it was generally believed she would leave her property to some charitable institution. What had induced her to alter her intention it was immaterial to enquire, but it was announced that she had made Lady

Doyle her heir. The Plaintiff having returned to Dublin for the purpose of taking his wife to Cheltenham, she accompanied him to that place, and they were not long there when Mr. Brown made his appearance. There was reason to believe he followed his intended victim. He took up his residence in the house of the plaintiff, basking in the light of his hospitality, like a viper in the sun. How degrading to taste the mortification of a thousand kindnesses, courtesies and obligations from this man, whilst he meditated a deadly wound against the better life of his unsuspecting friend. His demeanour was studiously discreet in public. In private he exercised the privileges of an old friend. He commenced his attack by quenching her feelings of affection, by irritating her pride, and exciting her suspicions against a husband upon whom she doted; and struck deep the roots of that disesteem which soon became too glaring in her altered conduct towards her husband. She became cold in private disrespectful in public; and when he remonstrated, she answered him with sullen indifference. In these distressing circumstances he had recourse to the solace of friendship.—

"Friendship to men and angels given," &c.

He applied for advice to a friend, he felt, as he eloquently expressed it in his letter, "Oh God! I am not the fool I was!" "Oh, said that faith worthy friend "you have indeed almost deserved the coolness with which she treated you, your indulgence has been excessive, it has almost spoiled her, but now you must be more resolute and firm, intimidate her, threaten instant separation, try what that will do." was not that bold advice? who was the friend that gave it? The defendant in the present action. He had his own good motives in it, no doubt. He knew that the generous, frank, and unsuspecting husband had the feelings of a soldier, and as the designing adulterer anticipated, he prevailed upon him to propose separation;

the artful seducer, calculated also upon the ready acquiescence of Lady D——— thus stimulating the husband and the wife to opposition, for he knew that if contending waves ran high; rain must ensue, he calculated that her lofty spirit, her high and proud feelings must have led her to agree to the proposed separation; but here his cunning like vaulting ambition, which o'erleaps itself, and falls on the other side, completely failed. The young and tender feelings of the lady could not be easily withdrawn from the affectionate husband whom she so fondly loved. she acknowledged the duties in which she had failed. The shock of final separation was a shock too great for her, as yet, unvitiated mind, to undergo. nature prevailed she yielded to the tide of her returning affections, another day of happiness opened upon them, revealing in its hallowed light a new morn of wedded love, only brighter from momentary darkness. But he would not represent to the minds of the jury the weeping reconciliation, the scene of their joyful reunion; suffice it to say, the plan of the defendant was for the present defeated; his deep laid schemes were discomfited. Lady Doyle was grateful, Sir John expressed a warm gratitude to him—"Iago I am bound to you for ever." Here a circumstance occured which multiplied the opportunities of the defendants attendance on Lady Doyle. Miss Bryan her aunt was taken dangerously ill, and the plaintiff was summoned to attend her, with an imperative injunction that Lady D——— should not accompany him, as the scene between the dying aunt, and the neice whom she so dearly loved might be too distressing. Meanwhile his client left Lady D——— under the protection of her mother and only Brother. Mr. B——— no doubt in the absence of the husband, renewed his brotherly and innocent assiduities without exciting suspicion of the approaching dishonour he meditated, to the ruin of her happiness and peace. Before that catastrophe took place Mrs. Bryan died. He

(Mr. Walsh) rejoiced she was spared that pang. She was a woman whose high sense of religions and moral character was as remarkable as her charities to the poor, and her kindness to her friends. She was a woman of lofty spirit, and high minded principle: she felt that the pure part of her sex was as widely different from the frail, as man from beast; and could she conceive upon her dying bed that the leprosy of vice was spreading through those veins in which her honourable blood was flowing, she never would have left 29,800l. to her separate use.—There was one fact which stamped a peculiar character on this case, to which he implored the attention of the jury. Before and after the death of Miss Bryan, it was generally rumoured and credited that she bequeathed her property to Lady Doyle, exclusive of the dominion and interference of her husband. But this general rumour did not satisfy Mr. Brown, his prudence suggested the expediency of having a more accurate opinion upon the subject, and he laid a copy of the will before a conveyancer in London, whose opinion coincided with public rumour. Then the busy world began to play its hollow part, each hour teemed with letters of condolence and congratulation. The summer friends of Lady Doyle in the sunshine of her fortune buzzed their applause in this discreet disposition of her property. He forgot to state Sir John himself had been unwell, but recovered, he wrote to Lady Doyle every day and sometimes twice a day. He was shocked at the change in her correspondence, the letters of Lady Doyle assumed a cold and indifferent tone, he directed the attention of the Jury to compare the impassioned eloquence of her former letters with those she now wrote to her affectionate husband. Each letter became colder than another, until they became little more than a few lazy lines, commencing in a stale address, and ending in a trite apology. He wrote at length for her, and she came under the protection of her brother; she had not arrived however be-

fore the death of her aunt. Immediately upon her arrival such an interview took place, as obliged Sir J. Doyle to leave the house, he passed that night at a house in Manchester street, he did not sleep verifying the sentiment of Southey.

"Oh sleep thou hast been called the friend of woe,"
"But 'tis the happy who have called thee so."

The next day he received a letter from Lady Doyle which contained a few lines of condolence on the death of her aunt; an apology for her conduct the preceding evening and a demand for instant separation. On the very same day the Defendant wrote from Cheltenham a letter to Lady Doyle giving ample instructions to her how to proceed in effecting the separation. Did he attribute the original guilt of her letter to her husband, to Lady Doyle? as much as he did to any of the Jury, he believed her to be as much an instrument, as the pen with which she wrote. Through the mediation of a most respectable gentleman, the Rev. Dr. Collins, a reconciliation took place, Sir John removed Lady Doyle to a cottage at Hampton Court and here she spent the last three weeks, she ever was to spend in the society of her husband, during that time she was much depressed in spirits, and she would occasionally rally; but often falling on the neck of her husband would burst into tears. He then made every preparation for her to accompany him to Dublin, she requested him to remain and pleaded her state of health, and the depression of her spirits as a reason for desiring to do so. He complied with her request and set off for Dublin on the 30th of October, leaving her under the protection of her brother. He intimated that he was not soon to return, "*and on this hint the defendant spoke*"—he had contrived to conceal himself in the neighbourhood. Mr. B. went to London on Saturday Morning 13th, and on that Evening his sister Eloped. On Monday Morning 15th November, Mr. Bryan found a Letter from his Sister, on his table at the Hotel in which he was (Counsel here read the

letter,* which stated that when he (Mr. Bryan) received that letter, she would be many miles distant on the continent; God knew how she loved him, she intreated him not to raise his arm against the only protector she had left; she requested him to advise Sir John to procure a divorce; she expressed regret at leaving him, a tear had fallen on the paper it was his sister's.) Did she pause for a moment to reflect that she was going off with the man, who for sixteen years had been to her as a brother but who now threw off the mask and became the avowed adulterer. Such was the man with whom disregarding all ties, times, and seasons, she rioted over the uncold remains of her departed relative and benefactress; led up the death dance of vice upon her grave, and blasted her tombstone with the burning characters of guilt and shame. They might now perceive his motives. Did they not see that this elopement must transfer this splendid property to Mr. Brown in the person of his new bride. He was now aiming to the peculiarity which distinguished this case from all others of a similar nature. In other cases the adultery crowned the climax of the delinquency, the curtain dropped with the fall of the heroine; but here the last act pointed to another moral and another catastrophe.

The first thing the plaintiff did when he heard of this overwhelming event, was to go in pursuit of his friend to receive his advice, as to what he was to do under such distressing circumstances. He would now state a fact which in his estimation made the adultery a secondary offence. Lady Doyle had jewels to the amount of three thousand pounds. Those she had caused to be so carved and set as to correspond with the different orders of her husband, with all the cunning fondness of love, she contrived that they should at once set off the charms of the wife, whilst they proclaimed the husband's glory. One would have thought that the defendant should

* See Appendix, No. 11.

have deemed it a sacrilege in him, even to touch those sacred relics of injured love; yet was it his predominate miserly grasp to catch at these baubles, that led to his detection. He caused her to write to her jeweller, in whose possession they were, to transfer them to a friend of his whom he named; and another letter to him not to suffer any person whatsoever to touch them without producing her written order!—so close and so heavily hung these jewels about his heart; he was instructed to state this to the Jury, but they were not bound to believe him; nay, he called upon them not to believe him until they heard it proved; but when they did hear it proved, let them tell the world, they had never heard of such a case. Other men might have pulled down the fabric of domestic happiness, but like the strong man, they themselves had perished beneath the ruins; but the defendant here had reared his fortunes out of the wreck of those who had called him friend. There never was so provident an adultery. The Lady with all her charms, was too little without her fortune, and her fortune was too little without her jewels. Was this the love-sick boy "who lost the world for love, and was content to lose it?" And what use could he have made of those jewels? To add splendour to the beauty of his victim? Alas, they had borrowed their brightest lustre from her innocence. To gratify her pride? Oh, it was trampled in the dust beneath the feet of her adulterer. Was it to increase her present happiness, by reminding her of what she had forsaken? Oh! as soon might the fallen Angel rejoice because he had chosen the gloom of Hell, from the blessed light of his Creator's presence. No! she would sooner die than be decked in the spoils of her husband's murdered honour. It is thus, then, that ruined husband had instructed

his counsel to speak of the wife who had undone him. Perhaps the other gentleman would speak of her in a bolder strain. What use, he repeated, could the defendant have of those jewels? why he could have but one; *to melt them into money!* Was the conduct, now, of this defendant like that of any other ever heard of? The enterprizes of other adulterers assumed something of an air of romantic, but mistaken honour, or thoughtless gallantry, and though they had blasted the peace of families, and worked the ruin of unfortunate females; they ruined themselves also, and plunged headlong with their victims into the abyss. But here was a seducer of a new and original character, who risked nothing on his own part, but looked to every thing that might be gained; who moved with cautious circumspection, and picked his steps through every bye-lane and alley; self interest going to market on a CRIM. CON. speculation. His lure, to be seductive, must be baited with gold. Offer him the wife of some superannuated old Nestor of 35, with all the charms of youth, loveliness and beauty, but without money—he has never to wait! his heart abhors the crime until fortune makes his victim a wealthy prey. Oh, but her Aunt has willed her all her fortune, and she is dying! Well, he has patience to wait! nay, he can wait until the bequest becomes actually vested! He is possessed of surpassing fortitude. She offers to throw herself panting with ardent love, into his arms and fly with him; he answers, "Fly not yet." "Your aunt is not yet dead." "But George, my soul, my aunt may not die these ten years!" "Well Mary, my love, I can wait." Cardinal Fleury once told a person he would give him nothing until he should die; "Well," replied the other, "I can wait." Admirable discretion!

Exemplary patience! What! seduce the wife of a friend and gain nothing by it! No that would be a crime too monstrous, even for the defendant to commit. He would now ask the jury if they had ever heard of such a man as this defendant? In the very crisis of his love, with panting beauty in his arms, he stops, drops his fluttering game, and coldly turns back, to gather up the silver spoons! Did the diversified annals of gallantry ever present an instance of such low-minded avarice. The cravings of such passions were stronger than those of nature—shabby, shameful, and unmanly. And now his instructions required him to state, what he himself could hardly credit, that the defence intended to be set up to this action was that this Lady did not love her husband. Gracious God! could they seriously mean to urge such a plea. It reminded him of the proverbial desperation of a drowning man, who, in his despair, would catch at even a straw. Her letters before marriage, and after marriage, would furnish the strongest refutation of such an assertion. Her letters before marriage he was unwilling to read; if they be read, it would be owing to the conduct pursued at the other side. He deprecated the exposure of such letters. If, however, the Gentlemen at the other side threw out the slightest doubt that this was not a love match, he would then read them. In them would appear some little love fooleries, but he pledged himself to the Jury, that with these fair qualifications, they spoke the eloquence of nature; and they were all written after her father's consent to the union. That objection, however, did not apply to the letters written after marriage; he would, therefore, read one or two of them.

Gentlemen of the Jury, the first letter is about the time of the anniversary of their marriage, it is not dated,

but the time it was written can well be ascertained by its contents; and it contains nothing but the strongest terms of connubial love.

(Here the Learned Gentleman read the letter, which abounded with every expression of sincere affection) *

The next letter was dated July 15, 1818; this was filled with reproaches at her husband's want of punctuality in not writing more punctual to her. †

The third was written on the evening of the same day; it contained an acknowledgment of the expected letter, and conveying the sweetest and most *naivete* apology that a young and loving wife could make to her husband, for her pettishness.

The fourth letter, dated ———, contains the following affectionate passage:—"your picture is before me, I dislike it, because it is not you, I like it, because it is yours—I *love it* because it is like you—and I hate it because it is not yourself." ‡

Gentlemen of the Jury, is this hypocrisy, is this want of education, or want of feeling and love.—The education she received was under the kind and maternal affection of a mother, who trained her in the paths of virtue and religion, while her accomplishments were tutored by the best masters that fond parents could obtain. Could this be the female easily seduced from the paths of virtue? No; in nature or natural events nothing of a sudden change can take place—virtue cannot instantaneously become vice, nor can vice, how-

* See Appendix No. 2.
† See Do. No. 5.
‡ See Do. No. 1.

ever repentant, be at once virtue; no, the march of crime is progressive, vice cannot start at once into animated existence, like the Grecian goddess Minerva, from the front of Jove, armed *cap-a-pee*, to enter into the field of contest as the Goddess of Wisdom;—nor is it in nature that sin should spring like the allegoric female in Milton, starting from the head of Satan, without some moments been allowed to bring the embryo to maturity. Oh! what a change for this young creature, from the bright prospects which once smiled before her, should she endure bitter portion, the cold disdain of her seducer. However she had deserved it by her guilt. But the miserable husband! how had he deserved it—to be made the thing this guilty pair had made him? Let the Jury fancy to themselves his sensations, whilst reeking beneath this dreadful blow.—Who could conceive his emotions, when silent and alone, he yielded to all the agonies of his rancouring wound; sunk in the sullen apathy of grief, clanking the chain of his dishonour; and then, in bitterness of heart, shedding tears of anguish faster than his burning cheeks could dry them. What would they take to shed such tears? He would not ask them, for they were men. Was it for this he had been denied a soldier's grave? There was another victim too; an innocent one also; her broken-hearted mother. We read that "In Rama a voice was heard weeping and wailing; it was the voice of Rachael waiting for her children on the mountain, and she would not be comforted, because they were not." Here was a mourner, indeed; what a reward for all the tender solicitudes and breathless fears with which the fond mother had watched over the lovely child of her bosom, the darling of her affection! Little did she expect that this would be the fate of the idol of her doating heart. Ten thousand

times less agonizing would have been the task of strewing over her virgin dust violets less pure than the innocence that slept beneath them. From one only source did she derive consolation: Religion keeps her in a world to which her heart is dead! "The saint sustained it but the mother died."

Adultery went to the root of those moral virtues which bound the energies of nations; woe to the community in which it was permitted to prevail, for in that community the elements of society were disturbed, and a moral earthquake ensued. In France, at the time of the Revolution, that vice made gigantic strides. The virtues of a religious and accomplished Monarch—the pious examples of an amiable and beautiful Queen, had not influence to arrest its progress! And to its baneful consequences might be fairly attributed the greatest miseries of that disastrous period. Adultery was at one time a capital felony in England. The law, however that made it so was repealed, and when? In the reign of the second Charles.

Gentlemen, I now call your attention to the meanness and baseness of his scrutinizing and prying into each particular scene of private life. It was past endurance, that spies and sentinels should be sent to watch every breath that curled on the surface of domestic happiness. What! would the Jury allow the veil which enshrouded the marriage-bed, to be exposed to vulgar gaze; and would they suffer that veil to be torn from that bed and thrown over the adulterer, to screen and protect him in his guilty violation of connubial happiness? He was confident that they would not. He had now done. He could not, however, conclude without lamenting, that his client had, by cir-

cumstances, been deprived of the advocacy of men whose talents must have made a strong and durable impression on their minds, and whose eloquence would have exhibited the arts and practices of the seducer in all their deep and designing depravity. It had been his client's original intention to have his case stated by a gentleman of the highest rank and eminence in his profession; but a delicacy of feeling, from one of the parties being his near relative, interposed. The same objection did not apply to another gentleman, of great eminence also. A delicacy, however, of a different nature, which was creditable to his honourable feelings, interposed, and thus prevented him from adding another wreath to the garland of our national eloquence; that eloquence which he had so frequently enriched by his many brilliant and magnificent contributions.

[The Learned Gentleman here paid a handsome compliment to the talents of one of his colleagues, (we understood him to allude to Mr. Phillips), Nature, he said, had heard him there before, and had done him justice.]

Gentlemen of the Jury I assure you that those damages which you may think prudent to give never has been the principal object, & my client has expressed that sentiment in the instructions given to me.—But what think you of this bold and daring seducer of female honor, and female innocence, parading his victim through the principal streets of this metropolis, and contigious to the dwelling of her afflicted mother, almost sunk to the grave by this cruel dispensation of misfortune and dishonour!—What was the character of this exhibition? was it not in the same principles of delicacy tenderness and honor so well acted upon in the whole of the part which this youthful

yet nefarious seducer of the wife of his friend has pourtrayed throughout this lamentable drama.—Gentlemen. I say for this daring outrage, if he had not a shilling, you should give him ample damages.

Gentlemen you are the moral censors of the land; you are not clerks placed in that box, to take the debit and credit of the account in pounds shillings and pence, and tot up the balance; the public, the fathers, the husbands, all look up to you as the guardians of morality and the female honour of this country, heretofore held up as a bright example of virtue, innocence, and conjugal felicity. I say woe be to that country if there cannot be found a jury who will stand forward, and by its upright verdict guard the honour and innocence of its virtue and chastity. The plaintiff is the son of a respectable family; he is not poor, he is the agent to his fathers estate, and it is certain he shall be rich; will he be poor if you give the full amount of the damages required of you. 30,000l? No for he will have the jewels still; if you give 10,000l. he will still have 25,000l. and if you give but 5,000l. he will have 30,000 out of the property of the injured husband—Was there ever such a case laid before you? the Plaintiff only comes into court to wipe away the stain which the defendant has thrown upon his character, and in which he had no share, and bringing into court the adulterer, with 37,000l. in his pocket. he only demands from you that verdict which will wipe off that tarnish which the adulterer has endeavoured to fix on his fame and his honour.

In conclusion, he requested the Jury to consider the vast and important services they might render their country by a judicious verdict, awarding exemplary damages. Many a brood of young adulterers might now be hatching; he hoped the verdict of the Jury would crush them in the shell. He hoped their verdict would by intimi-

dating, check the inglorious aspirant after adulterers distinction, and protect the purity of domestic virtue. He conjured them as husbands and as parents, to watch with cautious jealousy over the fame and fidelity of families, and to preserve with anxious solicitude the rich treasure of female innocence and purity. He conjured them by the religious and moral character of that most excellent Lady (Miss Bryan) over whose remains the defendant and his victim had shamelessly revelled; by the piety and affliction of the unfortunate lady's amiable mother by her agonized feelings; by the injured honour of her much wronged husband; by the wounded pride and humbled spirit of her father, who would have prefered death to the dishonour of his only daughter, and above all, he conjured them by that wise, and all creating Being, who gave the sanction of his blessing to their union, to pronounce a verdict that day which would rescue the national character from the disgrace of such a trial.

When Mr. Walshe concluded, a universal burst of applause from the bar and the auditory bore testimony to the merits of as fine a piece of oratory as we have ever heard.

PLAINTIFF'S EVIDENCE.

Rev. Charles Milley Doyle, examined by Serjeant Burton, he is a clergyman, knows plaintiff, is his brother; solemnized his marriage October 1st 1817. his wife is daughter to Major Bryan, had been acquainted with Miss Bryan, a short time before her marriage; she was about 19 years old when she was married, she was an extremely engaging and beautiful young lady; she was then residing with her mother; Sir John was between two and three and thirty years of age, when he was married, he had been for a long period in the army, from his boyhood; he entered that profession previous to his having been 14 or 15 years old; he has seen a vast deal of service he served in Egypt and all through the peninsula;

he has received a great deal of military distinction; his career began with Egypt and ended with the Peninsula; he was married in George's Church; witness had an opportunity of witnessing their conduct to each other, no one could be more attached to a wife than he was to Lady Doyle, and she was the same to him they were mutually strongly attached; had frequent opportunities of seeing them; when apart witnesses brother spoke of her in the warmest and strongest terms of affection; she spoke of him with tenderness and affection; the plaintiff is nephew to General Sir John Doyle; witness continued to see them for a year or so after their marriage; they never resided in witnesses house; saw them frequently at his aunts house in the green; his aunt knew Lady Doyle but little, but liked her extremely; she loved the Plaintiff much; she knew him from his childhood; he was much attached to her, he returned from the Continent after the allied troops got possession of Bordeaux; he commanded a Portuguese brigade and was the first to enter the town.

Cross examined by Serjeant Joy—Saw the plaintiff and his wife occasionally for about the space of a year; suppose Sir John was between 32 and 33 years of age at the time of his marriage; he had seen a great deal of service; was very pleasant; was fond of society; he was remarkable for temperance, witness knew nothing of his habits in other respects, might have had many acquaintances of whom witness knew nothing; never heard of his having had any conection with any woman since his marriage, but before that heard he had a family whilst abroad, and a child in this country, heard its mother was in Portugal; she did not live and die in Portugal; never saw the woman, understood by report she followed his brother to Ireland; understands she lived in Cork, she must have had means of living; should suppose these means were furnished to her by his brother; believes his brother afforded her money after his marriage; Sir John felt the greatest possible obligations to her; she had attended him on the Continent during two severe fevers which he had, and saved his life, and he therefore felt himself boundnever to let her want; it is the conviction of witnesses conscience that he would feel it criminal in him, to let her want; the child is living, has heard that the child is under the care of his mother; Lady Doyle after her marriage, requested to have the child, and she was extremely fond of it.

To Serjeant Burton,—He by no means intended to say that after his marriage he had any connection with

this woman; she had been married three years ago; knows Lady Doyle's hand writing; witness proved several of Sir John and Lady Doyle's letters.

(A couple of her letters were here read, to shew her fondness for Sir John, after mariage.)*

Richard Coghlan, examined by Mr. Burrowes.—Is steward to the Shamrock Liverpool Packet; recollects being sent for in Liverpool, about the 17th November, 1818, by a gentleman, who engaged the state cabin for himself and a lady only, for which he paid three guineas; there were four births in the cabin, but is was entirely engaged by the Gentlemen whose name witness afterwards learned to be Brown; they were two days and two nights on the passage; the lady and gentleman were landed at the wall of Dunleary; while on the passage, if the gentleman called for a glass of water, or any thing else for the lady, he desired it to be brought to Mrs. Browne; while on board, he (Mr. Browne) had some conversation with a gentleman about selling a grey horse; after having landed, a servant, who had gone from Dublin to Dunleary, to meet him, inquired of witness, if Mr. Browne, had arrived in the Packet.

James M'Manus, examined by Sir Henry Meredith.—Is a chaise driver to Mr. Quin, of Bray; recollects, in November last, having driven a Lady and Gentleman from Dignum's Tavern, Dunleary, to the Portobello Hotel; recollects having on a former occasion driven Lady Doyle, from Miss Byrne's, of Cabinteely, to Henrietta-street, but cannot say it was the same person.

John Bannon, sworn and examined by Mr O'Connell.—Was Waiter at the Portobello Hotel; recollects in November last, to have seen a Gentleman who called himself Mr. Brown, and a Lady, arrive in one of Quin's carriages at the above Hotel; they desired a single-bedded room, and a sitting room, to be got ready which they occupied.—Mr. Brown, desired if any person should enquire for him, except Mr. Levissey, that he should be denied, as he was in dread of an arrest. Mr. Levissey did call and saw Mr. Brown, who, with the Lady set off about 8 o'clock the following morning in a chaise, driven by a man named Toole. This man was cross-examined by Mr. Robert Johnston, but without affording any thing to impair his direct evidence.

James Toole, examined by Mr. Kinchela.—Keeps a hunter shop, a coal-yard, and one chaise; recollects

* See Appendix. No. 4. and 7.

having, on a very wet day, a Tuesday, driven a Lady and Gentleman from the Portobello Hotel; the Gentleman desired him first to drive him to Island-Bridge, and then to proceed to Dunshaughlin, but when he got to the barrack at the former place, the Gentleman said it was too late to go to Dunshauglin, and desired to be driven to Maynooth; witness recollects having driven the Lady before, he took her up at *the Major's* in Henrietta street, and when arrived at Black Church, she was called Lady Doyle here, Lady Doyle there, and Lady Doyle every where. The Lady and Gentleman got into another carriage at Maynooth.

Peter Healy, examined by Mr. Walshe.—Is driver of a chaise; recollects in November last to have driven a Gentleman whose name is Brown, and a Lady, to the nineteen-mile House; he had driven Mr. Brown before; they proceeded in the same chaise to Kinnegad.

Patrick Ennis examined by Mr. Crampton.—Recollects that in November last, he drove the Lady and Gentleman mentioned by last witness to Kinnegad, in the same chaise in which they arrived at the Nineteen-mile House.

Patrick Keenan, examined by Mr. Philips.—Drove Mr. Brown, of Castlemagarret, (not the Member) and a Lady, whom he (witness) does not know to Kilbeggan.

Darby Noonan, examined by Mr. Curran—In November last drove Mr. Brown, and a Lady whom he does not know; they arrived between nine and ten o'clock at night, and stopped at Grey's Inn, Athlone.

Patrick Egan, examined by Mr. Serjeant Burton.—Is waiter at M'Loughlin's Inn, at Ballinasloe; recollects in November last, between eleven and twelve o'clock at night, being sent for after he had gone to his own house, to return to the Inn, to attend a Lady and Gentleman who had just arrived: the Gentleman was Mr. George Peter Brown, of Castlemagarret; there was tea ordered for the Lady; Mr. Brown desired witness to get a messenger that he could send to the Castle; he got a man named Patrick St. George, who set off about one o'clock in the morning; Mr. Brown and the Lady set off about eleven o'clock that morning; in about three months after Mr. Brown and the Lady were returning, and stopped to get fresh horses.

Eliza Powell, examined by Mr. Burrowes.—Is chamber-maid at the Inn of Ballinasloe; recollects the arrival of the Lady and Gntlemen late at night, in November last, as stated by Egan; they occupied the same room, to which witness shewed them, when the Lady said she did not want her any longer; there was only one bed in the room; witness saw the Lady and Gentleman go off in a carriage the next morning.

Eleanor Gray, examined by Mr. Fox.—This young Lady appeared greatly affected by the novel situation in which she was placed—her feelings nearly overcame her; the only circumstance she could state was, that her father owns the Inn at Athlone, but as the subject connected with which her testimony was looked for, namely, the sleeping of the defendant and his companion at the Inn, she had not any recollection.

John Lowry, examined by Sir Henry Meredith.—Lives with Mr. M'Loughlin, and knows Eliza Powell; recollects driving the Lady and Gentleman, who stopped at the Inn, as described by her, to Captain Donnellan's, of Killea, and afterwards from thence to Tuam; the Gentleman was Mr. Brown, and when he was getting into the chaise, he said to the Lady, "Mary, get at this side of the chaise."

Stephen Donnellan, Esq.—Is acquainted with Lady Doyle; defendant slept with the Lady at his house in Killea; they both lay in one room; the room was single bedded; saw Plaintiff's wife at the Theatre; she was taken unwell; he offered his assistance; walked with her in the lobby till she recovered; believes she was alone; does not know whether she was in the party of the other ladies in the box; it appeared so to him, however; they handed a smelling bottle to her.

Witness was going to mention a conversation Lady Doyle had held with him. The defendant's Counsel objected to such evidence, and it was not given.

James Waters knows Lady Doyle; saw her walking arm in arm with Mr. Brown, in Gardiner's-row, on Friday week last.

Christopher Bilton—Keeps an hotel in Sackville-st. had three boxes containing jewels and plate belonging to Lady Doyle, deposited in his care, by the Rev. Mr.

Doyle; received a letter from Mr Brown, charging him not to deliver the boxes to any one without an order in writing from Lady Doyle. Mr. Brown called to enquire whether there was a box for Lady Doyle, and received it to carry it to her Ladyship; witness afterwards received a letter from Lady Doyle, dated Holyhead, ordering him to give up the boxes to the bearer; witness delivered them to a man who called in a hackney coach.

The Rev. M. Doyle was examined a second time.—Remembers lodging two boxes of jewels and one of plate at the hotel of Mr. Bilton, in Sackville-street; brought them from Alderman West's; the lady that accompanied him was Rosina Wheeler; she left Dublin three weeks ago; defendant's agents had abundant opportunities of subpœnaing the lady; she lived at his house, and frequently walked out in public.

Charles Connelly proved defendant's hand-writing; witness is manager of the concern of Mr. Bilton.

John Russell, Clerk to Alderman West—Stated that the boxes were delivered to the Rev. Mr. Doyle; their contents were amethysts, pearls, diamonds, and plate.

Mathew Baboon examined by Mr. Phillips—Conducted the business of Mr. Mullen, Jeweller, of Dame-street; they were the wedding jewels of Lady Doyle, bespoke by Sir John Doyle: she was with him; they were set to the military orders of the Bath, the Crescent, the Tower, and Sword; she after accompanied him to the shop: they were composed of fine gold, Irish diamonds, emeralds, enamels, broaches and rings of diamonds emeralds, and pearls, some of them were according to the tablets of the battles in which Sir John had fought in.

Several letters were produced, as also the marriage settlement, signed on the 30th of September, 1818. The lady's fortune was 7000l. in her own right.

The Plaintiff here closed his case and the Court adjourned.

SECOND DAY, MAY 23.

At 11 o'clock the names of the Jury were called over; Lord Norbury appeared on the bench a quarter after eleven. The crowd assembled to witness the continuation of this trial, which excited much interest in the public mind, was overwhelming; and much embarrassment was created by the great pressure —His Lordship was at last obliged to order the sheriff to take some gentlemen into custody, that by their removal, a passage to the bar might be affected; upon this intimation they soon made room without the interference of the Sheriff. His Lordship called upon Defendants counsel to proceed, when Mr. North arose, and commenced a most eloquent speech, of which the following is but an imperfect summary:—

Gentlemen of the Jury, I am in this case counsel for the defendant George Brown, Esq. As such it has become my duty to lay before you the facts of the case. I did expect that it would have fallen to a more able, more experienced, and more eloquent pleader than myself, to undertake this great and arduous task: yet, I fairly confess, that I felt no slight degree of satisfaction, not from the presumption of my own ability to advocate his cause, but that it was my dear and esteemed friend, for whom I was called on to exert my feeble talents. When my young friend put this brief into my hands, he addressed me in the warm terms of affection, he gave the reasons for his choice of me; I have long known you he said, and can safely with confidence that you will obey this injunction I impose upon you, that you will sacrifice every other consideration, to those feelings of scrupulous honour, which are dearer to me than life. These noble sentiments came warm from the heart of my young friend, they were congenial to that youthful ardour that warmed his soul, suitable to his superior education, and in accord with the noble blood that flowed in his veins. I should be unworthy the attention I solicit if I attempted to depreciate those institutions, in which not only our public but our private interests are all so deeply involved—such an attempt you would receive with well merited distrust:—They stand on such grounds as an enlightened Jury should ever hold sacred. I shall not therefore attempt to call in question those high and exalted principles of moral right, upon which the plaintiff's counsel has expatiated in such a splendid strain of manly

eloquence. Gentlemen of the Jury the learned counsellor has told you that you appear on that seat as censors of the public morals of our Country. He has told you, that you were called upon to offer a publ c testimony of regard to those institutions, of which you are the only guardians. I feel assured, Gentlemen of the Jury that you are far too wise, far too experienced to stand in need of such moral instruction, it is a call your duty leads you to perform, it is a testimony of respect, which I make no doubt you have yourselves already given, in the tenor of your own domestic lives, in your own purity of feeling, and in that tenderness and affection, by which I make no doubt you have placed your dearest interests beyond the possibility of invasion; you know well that you are not assembled in that box to preach lessons of morality to the world, but to pronounce the award of justice. The plaintiff complains of being deprived by arts and seduction, of the fellowship and society of his wedded wife. He calls upon you to value the amount of his injury; if such alone be your duty, your task is easy, and mine will be hopeless; but Gentlemen you have to look beyond these sordid promises. In all the gifts of nature and art, the value of them depends on the feeling of the possessor and his sense of their excellence. The gem which the naked indian digs up from the bowels of the earth is of little value to him, unacquainted with its worth; the sublime discoveries of the illustrious Newton, are mean and insignificant to the ignorant and unlettered. The splendid monuments of Grecian art are cold, shapeless, and deformed to the graceless Turk, who tramples with the contemptuous pride of ignorance upon the sesacred relics. What Lady Doyle might have been if folded in the arms of tender affection, it is not for me to say; what she has been made by the conduct carelessness, folly and cruelty of one that called himself a husband—what that conduct has been it is now my painful duty to detail.

My learned friend has told you that Sir John Doyle is a soldier, he has coupled his name with all the military glory of our countrymen—all this, Gentlemen I am not inclined to dispute, that Sir John was a brave and meritorious officer I am not instructed to call in question; but why this admission should be called for in such a long strain of pompous display, I am at a loss to discover; why for this purpose the shade of Abercrombie was to be invoked, unless the sword of the one is taken to guide the

pen of the other, I am unable to discover: what the well-earned fame of Hutchinson has to do with the duty you are called upon to discharge, is to me utterly unintelligible. One touching picture of domestic bliss, would have gone more to the heart, than all his empty parade of martial glory—one single well attested act of love, or friendship would have had more weight than all this military galaxy displayed to our view, one fact only proved and demonstrated, of kindness, gentleness, and love would have been listened to more eagerly, and treasured up more faithfully than even the golden crosses of knight, commander, and all those gay and brilliant ornaments of the levee or the drawing room—Instead of proofs of domestic bliss, to shew the value of what he has lost, a few cold and formal letters, and a variety of titles and military distinctions have been produced before you, I am willing to believe that his modest panygeric has weighed no heavier than a feather on your minds; but diligent as he has been in relating his military honours there is one victory which has been forgotten to add to the long list, which it is now my duty to supply. We are told that a life spent in active military service, is a life of perpetual risk and danger. It is by no means so, it has its periods of relaxation, which are the more frequent in proportion as its hazards are greater. In one of these scenes of relaxation, at that period of life, when the warm feelings of the heart are yet undamped, and when the constitution is in its full vigour and prime, when the wise man consults upon bestowing his affections, before they are worn out, upon a legitimate and worthy object, Sir J. Doyle formed a tender connection with a portuguese female, and I believe if ever the love woman-kind reached the heart of the Plaintiff, it was in her alone; he had two children by this woman of whom one only now survives. When peace put an end to the Hero's Military career, he returned to Ireland at that mature age, when, as the Poet tells us, it is too late to change the habits of the mind, "a fool at forty is a fool confirmed." He was a poor soldier in distressed and embarrassed circumstances; in this situation he had recourse to that common expedient of repairing his broken fortune by a matrimonial speculation. He reconnoitred the country round with a truly military eye, and seized upon the most advantageous position. Lady Doyle at that time shone in the firmanent of fashion, as bright a star as ever attracted the idolatry of love—happy! careless! unthinking! all-enjoying creature!—beside her talents, her beauty, and her loveliness,

she had other attractions which were not lost to the survey of our military adventurer. She was the only daughter of MAJOR BRYAN, born to the inheritance of great estates, the object of the doating affection of an aged Aunt, from whom she had immense expectations, the realization of which the plaintiff at this moment enjoys, and has the receipt of the interest of 29,8000l., over which Lady Doyle has no controul, and by other relatives had the prospect of being entitled to 80,000l. These were prizes not to be picked up in the plains of Egypt, nor the walls of Badajoz, which Sir J. Doyle balanced in estimation with the glory of Abercrombie and the fame of Wellington. He lost no time in getting introduced, and crossed the hospitable threshold by the passport of a stranger, and in the guise of a gentleman; the hand of a brother soldier was stretched out to meet him with frankness and cordiality—there he found the freedom and abundance of Irish hospitality, blended with the luxury and splendor of English refinement.

It is not to be wondered at, that Sir J. Doyle directed his counsel to rely upon the parade of his titles and distinctions, when he found them of such ample service in the tender campaign of courtship. Decked with the showy ornaments of orders and crosses, he fluttered, vapoured glittered and walked about the country, a stalking Wellington Testimonial, the name of every battle hung upon his breast, while the story sounded from his tongue. I am willing to give credit to the learned counsel for the glow of his colour and the brilliancy of his picture, but the praise of originality I cannot concede to him; the picture has been drawn before with the partial pencil of a self flatterer; and it is not surprising that a girl of nineteen should be dazzled by such splendor, and her senses stunned by such artillery; she could not resist such a shower of darts launched at her fair face and fortune; he was successful, and they were married, unhappy creature! But when he did marry her, if bound by the ties of feeling and delicacy he had behaved like a Gentleman; a man of civility he would perhaps be less to blame; but how he behaved Gentlemen you shall hear, it is painful to state that in the first act of this melancholy drama, in the first week, ere the newly woven bridal clothes were yet scarce soiled, and the virgin blush still fresh on her beauteous cheeks—he presented to her the offspring of his foreign amour, tells her to adopt it, and commands her to take the bastard child to her arms—he then sets out to Cork to meet the embraces of this Por-

guese mistress, who was fixed there, where he married her to a low fellow, whose name is M'Donald, for whom he procured the genteel situation of keeping a canteen, where he sells slops and spirits to the common soldiery: that his intercourse with this woman might not be interrupted, he banishes his wife to the black rock near Cork, and keeps his mistress lodged within a few yards of his own office in the town.

Gentlemen of the Jury, it will be proved further, that she spent whole evenings in the house, where this husband in the midst of a revelling band, converting his drawing-room into a tap-room, employed his hours of ease in drinking whiskey punch. When Lady Doyle remonstrated with her husband upon this camp-like society, his answer was, "d—n your aristocratic pride." Is this the happy life he complains of having lost? Is this the pure husband who calls upon you for compensation?

Gentlemen of the Jury, there are men who, though unfaithful to their wives, are considerate enough to preserve outward appearances; but the plaintiff disdained even this poor compromise with decency and virtue. What was the company he selected for his lady?—a low and vulgar fellow, his own recruiting serjeant. Gentlemen, is it surprising, that when she retired to her chamber, the very servants could not refrain from pitying this desolate creature. On one occasion, Gentlemen, the plaintiff gave an instance of cruelty, which shall be laid before you. A maid servant, living with Lady Doyle, to whom she was affectionately endeared, and in whom alone she could repose every confidence, was dangerously attacked with a typhus fever; Lady Doyle sat over her in the bed, and watched her during her illness; the unfortunate woman expired in her arms. The physician who attended her, finding the infection extended through the house, implored Lady Doyle to fly the place, for death was there! Will you believe it, Gentlemen, I scarcely can; her husband prohibited her departure, till she was at last rescued from the fatal place, and a safe asylum procured for her. And are these the facts on which he relies to prove the affection with which he treated her? What are the proofs of his love to his wife? His own brother, who lived at a distance, and only saw them occasionally, says, "they seemed to him to be perfectly happy." If this were a fact, why is it made to depend

alone on the testimony of an absent man!—and what proof do the letters afford? A young woman naturally endeavours to obtain her husband's affection, and therefore addresses him in terms of apparent affection.—But, Gentlemen, these very letters are evidences of the meanness she was obliged to resort to, that she might please her husband, when she says, "you shall drink whiskey punch until I die for it"—and in another, the avarice of his temper is shewn, by her assurance of strict economy in the marketing accounts.—Does she tell him of the interesting books she had read; of the female society she had mixed with? No, she knew no notes could be better music to his ear, than the promise he might enjoy his whiskey punch; she knew his passion for money, and tells him, she has not been extravagant in marketing. Is it surprising then, that he should have lost her affections? Wretched man! at last, regardless of the profession of her love, he treats her with undisguised contempt, leaves her alone, and unprotected, and on one occasion, persisted, nay ordered her to travel in a stage-coach, and gave her as a companion, a dashing military aid-de-camp. This wretched man was even so ignorant of the respect which every feeling husband knows is due to woman, that he had the folly, the indecency, the levity, the meanness, to speak of his lovely wife's perfections in the disgusting language of a worn-out debauchee. The plaintiff went to London, leaving his wife behind for a period of two months. My young friend, the defendant, had not seen Lady Doyle for the space of eighteen months; he had known her early when a boy; her governess was his instructor's sister, and thus an intimacy arose between them; but they were quickly separated—he was preparing for the University in this city, and she was reserved for her cruel fate; when my client afterwards saw his former acquaintance at her father's house, and in public places in the city, it was impossible for him not to read in her countenance the history of her misfortune, and perceive the depth of her sufferings. If Sir J. Doyle had reserved one single sentiment of tenderness—had he laid up one little regard, even of respect, she might still have remained his suffering victim—but, alas! he did not find any sentiment of esteem left for himself—no defence in her heart—no appeal to her feelings—he must come before a Jury to complain of his loss of her love! Lamentable protection! Miserable security! Breathes there a man, so lost to

honor, sense, and feeling, who would not scorn to be obliged to seek a compensation, once in his own power, but when lost, beyond a Jury's verdict to retrieve! If there be any thing that can so eminently distinguish man from the brute creation, it is in the institution of lovely marriage—but has nature left this institution without guarantee, without security, without defence? Has she left a Jury's verdict, the only guardian of that sacred institution? No. She has ordered that founded in nature, its security should depend upon nature—she says be kind—be generous—return affection with reciprocal feelings—and then I promise you security—but if by violence and cruelty you break the tender chains that bind you mutually—can you complain of the forfeit yourself has incurred? Go, seek compensation for wealth, seek reparation of injustice, of which you are at once the instrument and the cause! My Learned Friend has told you that sudden seduction is a contradiction in nature as well as in terms; but where are the proofs of seduction in this case? Mr. Brown had not seen her for a long interval before and after the marriage. Is it credible that he should have examined wills and deeds to discover the amount of her expectations? The imputation is false and odious. Had Sir J. Doyle no witnesses? no spies? They have brought forward all the postillions on the road from Dunleary to Ballinasloe. Why have they not brought proofs of these allegations? But Gentlemen of the Jury, what is the proof of the case? Sir J. Doyle, awaiting the death of the Aunt, would not before that event, break with his wife; lest, shocked at the suspicion of her niece's error, she might make another disposition of her property; but the seasonable time so anxiously desired being arrived, after the lady's death the veil is rent in twain; he hurries down to his wife's cottage at Hampton-court, and breaks open her box of letters to find proofs for his suspicions.

[Here the Learned Counsel commented upon the evidence adduced in the plaintiff's case, to recite which here would be only tautology.]

Gentlemen of the Jury, my young friend has been accused of having sought to procure the Lady's jewels;—where is the husband to be found so mean who would rob his wife of her ornaments and trinkets? Can it be believed that he himself was so anxious lest his wife's jewels should escape his grasp? And does he lament the loss of them more than that of his lady? You are told, Gentlemen that the morality of the country depends upon the verdict [illegible] find in this case. I know, Gentlemen,

you are not so weak, nor vain enough to imagine that you can govern the issues of the human heart; there have been execrable verdicts in these cases; but it is a doctrine extremely erroneous and pernicious, to suppose that an award of pecuniary compensation is what these cases call for; no, Gentlemen, such verdicts will be treasured up by avarice, and when the cold husband, who accelerates and favors the hour of temptation, appears at your bar, question, probe, examine, ask has he merited your protection, by securing his own? Has he been pure in his morals, affectionate in his conduct, gentle in his manner, and virtuous in his life? Tell him no verdict can put a man in possession of a woman's heart! Tell this applicant for your liberality that he knows not the heart of woman kind. Send him reeking from the bed of his foreign lust, rank with the fumes of the canteen, from the clamour and riot of obscene revelries—send him to his secret chamber and there let him commune with his own heart, before his own conscience. Did I not debauch her by my own debaucheries? Have I not infused the poison into her bosom by the contaminating example of my own conduct? Have I a tittle to complain of her having been taken from society that could only have plunged her deeper in vice?

When Mr. North had concluded his speech, which was in a much more happy point of style than we could attempt to give, and which imperatively compelled us to end so abruptly, the applause was simultaneous, universal, and reiterated the feelings of the auditory on this talented Gentleman's exquisite specimen of Irish eloquence.

The fervour having subsided, the witnesses for the Defence were called.

EVIDENCE FOR THE DEFENCE.

Arthur Neagle, examined by Serjeant Joy.—Knew Sir John Doyle: lived with him as his servant after his marriage: his master lived at Black-Rock, about two and a half miles from Cork: Lady Doyle lived there also; there was nobody else in the family but the little child, belonging to Sir John Doyle: and the servants.

Q. Was there no respectable female, was there no Lady accompanying Lady Doyle? A. [illegible] Sir, Sir John

Doyle went every day to Cork, sometimes early and sometimes late, he went about ten or eleven o'clock, and generally returned about five or six o'clock in the afternnoon this was his constant habit

Q. And did he leave no lady with your mistress? A. No, Sir.

Q. Did he not go to Fermoy very often? A. My master went to Fermoy sometimes, but not very often.

Q. Was not he absent sometimes all night? A. Yes, Sir, he staid sometimes all night, but came home the next day his Lady was left by herself; there were none but the servants with her.

Q. Were there any visitors came to your Lady? A. Yes, Mr. Curnton, of the 20th Regiment of Foot, used to come almost every day: Sir John Doyle knew him very well; Sir John continued to go to Cork and back again every day.

Q. Were there any persons ever dined with your master there? A. The Officers of the barracks used to dine there very often; knew a person of the name of Brophy: he was a clerk to Sir John Doyle: he never dined there: never sat or drank punch with Sir J.; Sir John used to drink whiskey punch in the evening with the Gentlemen who visited him; they were in the drawing-room; Lady Doyle retired to another room alone; slept next or near their room; heard them scolding one entire night; it was in French, and he did not understand it—(Great laughter) heard Lady Doyle crying once in her bed-chamber; heard them often scold in *French* at the dinner table; remembers Lady Doyle's maid being very ill; her name was Mrs. O'Mara; her complaint was the typhus fever; Dr. Rawlins attended her; Lady D. was very anxious and very attentive about her; never was in the room when Dr. Rawlins was in company with Sir J. Doyle; never over-heard any conversation; could not remember any thing relative to Dr. Rawlins's endeavouring to persuade Sir John to permit Lady D. to quit the house; heard Sir John say, when Lady Doyle wished to leave the house, "that she had better stay;" Sir John did not stay, he went to the Munster Hotel; Lady Doyle went away with the Doctor; witness remembers a child which was belonging to Mrs. M'Donald; it was Sir John Doyle's child; Sir John saw her every day, or every second day: she, (Mrs. M'Donald)

was on very good terms with Sir John: she came frequently every day whenever she wanted any thing, she would meet him in the hall, and they would go out and walk together: she would sometimes go into the kitchen, upon which occasion the servants would leave it, *and the door would be shut;* she once was in the drawing-room; never saw her get any wine, but witness brought her a bottle of wine down stairs by order of Sir John, when her husband was sick: she often came when Lady D. was out: when Lady D. was within she would go into the kitchen: she lived near Parliament-bridge: Sir John's office was only a few yards from it: Sir John spoke to him in the garden relative to Lady D's ill-treatment and improper conduct.

This witness seemed to be an ignorant fellow, who answered almost every question by saying that he did not know, or that he forgot.

Cross-examined by Serjeant Burton—Could not tell whether it was French or Latin they spoke, could tell nothing—could not even comprehend what he had already swore to. His evidence went for nothing.

Catherine Allen, examined by Mr. Robert Johnston—Lived as cook with Sir John Doyle: was six months in the family: Lady Doyle had another maid servant, who died: witness was there at the time she died: recollects a servant girl named Anna Gregg: Sir J. Doyle saw a few gentlemen now and then, but very seldom any ladies came to the house: remembers some being invited who did not come; Lady Doyle was generally alone in the back parlour: she had no other society than the gentlemen who came to see Sir John: Mrs. M'Donald (the Portuguese woman) often came to the house: witness knew her to be the mother of Sir John's child: Sir J. Doyle was very kind and attentive to her: the child was kept in the house: witness supposed she came to see her child—Sir J. was very fond of the child: Mrs. M'Donald came to the house when Lady Doyle was at Black-rock, *but she always came with her husband;* they came to be paid some money. Witness being asked in what service Mrs. M'Donald was employed by Sir John, said, "in no other service except being the mother of his child." (General laughter) Witness said, that when Mrs. M'Donald came to the house, she was showed into the kitchen: when Sir John came there to speak to her, witness and other servants generally

retired: were not ordered to retire, they only did so from respect, that they might not listen to what Sir John said; witness averred *that the door of the kitchen was always left open*; witness recollects finding Lady Doyle one day in the parlour writing a letter and crying.

Cross examined by Mr. Burrowes—Lady Doyle was very kind to the child; it seemed to be entirely from her own desire and inclination that it was received into the house.

Dennis Richd. Moylan, Esq. was the next witness examined, knew Sir John Doyle intimately: he thought Sir John placed too much confidence in Lady Doyle; always spoke most kindly of her; knew Lady Doyle to visit, and be visited by ladies of the first rank and respectability in Cork, and that she was introduced into the most fashionable and respectable society in that city; witness recollects dining with Sir John at Mr. Duggan's where he spoke of Lady Doyle in terms of respect and regret which surprised him, tho' after she had eloped with defendant, does not recollect any disgusting conversation at table, on the contrary was rather amusing. Here witness was requested to state the conversation. Witness said Sir John spoke of the different reports in circulation respecting him and Lady Doyle, that amongst the rest he had heard of one which charged him, Sir John, with *not being well able to do Family Duty*, that Sir John assured them he was no cheat, and that she always had received a reasonable share of innocent amusement, (*repeated bursts of laughter*) and trusted he was as fit for duty as he appeared to be. After supper Sir John was asked to sing one of the bacchanalian songs, which he was in the habit of singing, and that he did so; witness was asked by Counsellor Jackson, if it contained any thing about Venus in it; witness said there was a compilation of both in it, Mr. Moylan bowed to the court, and withdrew amidst clapping and applauses.

Michael Murphy, Esq. examined by Mr. Jackson—Witness is well acquainted with Sir John Doyle, who came frequently to his house after he was married, heard him Sir John say, alluding to Lady Doyle, that he was the happiest man in the world. Witness could not recollect any particular conversation at dinner time.

Cross examined by Sir Henry Meredith, one of plaintiff's counsel:—Witness had been engaged in some money transactions with Sir John Doyle, knows him to be most honorable and liberal in pecuniary matters.

After the examination of Mr. Murphy the counsel for the Plaintiff, called on Defendant's counsel to produce more witnesses for the Plaintiff, which produced a universal burst of laughter in the Court.

At this stage of the evidence, the marriage settlement of Mr. Brown of Castlebar, father of defendant. was produced, to shew the expectations and fortune of defendant. In this settlement it was contracted that 12,000l. were to be divided among the children that might be the issue of the marriage there were seven children, three of whom were married; two of them had received 5,000l. each. and the third 6,000l.

Mr. Serjeant Burton spoke to evidence on the part of the Plaintiff.

My Lord and Gentlemen, the testimony adduced on the defence, has failed of producing the effect which had been expected from the luminous appeal of my Learned Friend, Mr. North, we do not wish for vindictive damages against the unfortunate defendant, but deprecates the turn given to the defence by endeavouring to associate the name of my client with cruelty and immorality, which I maintain failed in its intended application by the evidence produced to sustain it. A sneer had been cast upon my client respecting his age. thereby endeavouring to shew that his years were disproportioned to those of his wife. It had likewise been said that a fool at forty, was a fool indeed—I fully grant the position generally, but deny the application of it in this case. My client was but 32 when married; there was no folly in the contract, it was an union of mutual affection between the parties, and sanctioned by the full approbation of the young lady's relatives. The hopes and views of two respectable families have been ruined by the conduct of the defendant, and for that conduct he called for damages against him, as a reparation for the injuries he had inflicted. We throw back with disdain the atrocious calumnies attempted to be coupled with the name and character of Sir John Doyle, he has been dared to come forward and look for damages for his violated rights; he has been challenged to come before a Jury, to seek for reparation, which his enemies denied he had any claim to; and it has been whispered that he would never face a Jury of his country, and that if he did, his conduct would be placed in such a point of view as would entitle the defendant to a verdict. I would ask my Learned Friend whether there was any thing in the evidence to prove that my client had been culpable in a single instance? I will venture to say that the Gentlemen of the Jury would pronounce by their verdict that Sir John Doyle

had been calumniated, basely calumniated.—The defendant had endeavoured to maintain that it was a meritorious act to rescue the Lady from the cruelty of such a monster as her husband—but how was that cruelty proved? Why, that she had been banished to Black-rock, pretty nearly such a solitary place of the same name near this city; that a boot-scrubber had proved his having heard Sir John Doyle and his Lady scolding in French, and that she was once found in tears when writing a letter: this was the monstrous barbarity complained of. Surprise had been expressed why none of the females of Sir John Doyle's family had been produced to prove their domestic happiness—he could not advise such a proceeding; he could never think of bringing forward the venerable parent of the Lady, nor the neice of his client, a girl of 15 years of age, to subject their feelings to the ordeal of a cross-examination. The next charge was his connexion with a foreigner, which, with the effrontery of a soldier, he had the impudence to avow even before his marriage, without incurring the displeasure of his intended wife, or her family. It was however creditable to him, that after having brought this Portuguese woman to a foreign land, he assisted her in the hour of distress, and it served also to prove the absurdity of an insinuation, not very modestly published, as a charge of his having no children. It was the first time he had heard the military distinctions gained by his client made the subject of ridicule; they were the general inheritance of a brave soldier, and were to him what wealth was to a man in civil society. The poverty of a soldier was proverbial, for he wanted not money in the camp, a few dollars being quite sufficient to answer his exigencies. —On the return of his client to his native land after acquiring well merited honours, it was quite natural he should look for a wife possessed of a good fortune, as well as good connexions, and therefore there could be no crime in proposing for the hand of Miss Bryan, whose affections he won. What was the state of this lady at the present moment? Had the conduct of the defendant raised her in the estimation of the world, or heaped additional honours upon himself? Nothing could warrant him in seducing the wife of another, if even the conduct of her husband was such as to render her unhappy. He was sorry to find that crimes of this nature were on the increase in this country, which within his own recollection could boast of being more free from such vices than any other nation in Europe, and he regretted this the more deeply as the inhabitants were proverbially brave, generous, and hospitable. The learned Serjeant then proceeded in a stile of great eloquence to se-

ply to almost every topic introduced in the statement of Mr. North, successfully rebutting the insinuations thrown out as to the plaintiff's neglect of the lady—And was peculiarly happy in that part which related to the plaintiff's securing Lady Doyle's diamons, he said, "I vow to God My Lord, I consider him nothing short of a cunning Knave, Aye, and a Knave of Diamonds too." and concluded a speech of nearly two hours duration, in the course of which he was frequently interrupted by the plaudits of the Bar, by intreating of the Jury to give such damages as in their conscience they considered his client entitled to, without suffering the language of the advocates on either side to have any improper influence on their minds.

Lord NEABURY commenced by saying. that the tribunal before whom this question was brought, was the first tribunal in the land, and never did he see it better filled, than in the twelve Gentlemen who sat in the Jury Box; the case before them was one for their peculiar jurisdiction, and a case which had excited more public interest and curiosity, than could have been produced by any other cause— there was a species of oratory which clung to those subjects, connected with the trial they had heard, which always claimed even from the most turbulent auditory, the most profound attention; he trusted that he should share that silence and that attention; it was an attention, as the poet said, "like the silence of the midnight hour, or the noon-tide shade." He had to lament with his Brother, Serjeant Burton, that the crime which for two days had occupied the attention of the Court, was a crime extensively growing to magnitude and depravity in this country—a country which had once the boasted triumph of declaring to the world—"that all its women were chaste, and all its men were brave." No man could more deplore the vitiated state of public morals in the land of his birth than he did; yet although there were many instances of aberration from virtue and conjugal faith of late, it was, Heaven be praised, far from being universal or overwhelming. Gentlemen of the Jury, you, in whose hands the punishment lies, I trust will not only mark your sense of feeling for the crime upon the party, but you will shew the country that virtue can be protected, and vice punished; it is given up to you to be the castigators of the crime which you have been made the constitutional Judges of. That the crime has been perpetrated there is not a shadow of doubt, was the evidence even not as explicit on this head as it is. You have the evidence of nearly the last witness for the plaintiff, that the guilty pair were walking triumphantly

through your streets not a week ago. In the whole course of my legal knowledge, or judicial practice, I never saw such a defence set up as was set up in this case; but it fell with ten thousand-fold vengeance upon the offender.—The Counsel for the Defendant, a gentleman whose talents in public, and virtues in private life, must ever be estimated with regard, esteem and affection, has said the plaintiff was a stalking Wellington testimonial; that his brilliant orders his tablets of victory hung around him, as if he was a figure of stone; and I suppose he meant, that they might as well be hung upon his tomb stone. I really wonder that those military gentlemen, whom I saw in court during the trial, and some of whom I now see before me, did not tear off those noble INSIGNIA of honours from their breasts and put them in their pockets. Gentlemen of the Jury, I tell you what, while the trumpet of war is sounding, the soldier is received in this country with friendship and hospitality; he is invited to our hospitable boards, caressed by the fair, and his friendship sought for both by rich and poor, high and low; but as soon as we find ourselves at peace and there is no longer use for his arm to defend us, his services are no longer remembered and he declines into the forgotten citizen. Gentlemen of the Jury, there was part of the evidence and commentary, which was fairly commented upon by Mr. Burton, that it was wonderful where all the secrets of the Plaintiff's life, could proceed from, and be arraigned or attempted to be arraigned against him this day; whom or where could it proceed from. but from his wife where an unsuspecting husband had confided all—this was the characteristic of a husband. Gentlemen of the jury I request you will not take again into consideration the jewels which have been dilated upon. I am well aware that no person can be a better judge of the value of those diamonds than the worthy Alderman, the Foreman of the Jury; but I am equally assured that he is still a better judge of that pearl of inestimable value—*Domestic Happiness* which he would not relinquish for all the wealth he is possessed of.

The Learned Judge then gave his mead of praise to the merits of Messrs. Walshe, North, and Burton; but requested the jury would not give a farthing for the eloquence.

His Lordship concluded by saying I have not kept you, Gentlemen more than ten minutes in my charge, and I am sure you will not keep me ten minutes without your verdict.

The jury retired for ten minutes, when they returned and gave in their verdict—5,000l. Damages and 6d. Costs, which verdict was received with bursts of applause by the Bar and the Auditory from every part of the Court.

Counsel for the Plaintiff.

Mr. Serjeant Burton,

Mr. Holwell Walsh,

Mr. Burrowes,

Sir Henry Meredith,

Mr. O'Connell,

Mr. Crampton,

Mr. Kinchela,

Mr. Phillips,

Mr. Curran, and

Mr. Fox.

Mr. Henry Ryan, Agent,
Upper Sackville-st.

Counsel for Defendant.

Mr. Serjeant Joy,

Mr. Wallace,

Mr. North,

Mr. Robert Johnson, and

Mr. Jackson.

Mr. Richard Levisay, Agent,
Mountjoy-square.

APPENDIX.

Letters,

ALLUDED TO IN COURSE OF THIS TRIAL.

(NO. I.)

"*Jenkinstown, June* 24, 1817.

"DEAREST SIR JOHN,

"Your kind and most affectionate letter was received this morning with the most heartfelt pleasure and delight. You more than executed my commissions; I asked but for one, and you sent me four pair of Gloves. For shame, you must not be *so extravagant another time*—as for the Watch, though much pleased by the attention and kindness you shew, you must not be offended with me, if I say my firm resolution is not to accept of it, *or any thing else from you, unless you* get my Papa's leave; of course I cannot *then* have any scruple; and as for enchaining my affections, I believe you are aware you have done that PRETTY WELL.—Papa laughs at your expectations of the Lieutenant-Colonelcy, but I am almost as sanguine, and quite as anxious as you can be; he and Mama are much indebted to you for the trouble you took about the Gold, &c. &c.—We dined at Major Keating's yesterday, and went in the evening to the Play, Miss Curtis's benefit; the House pretty full, and the 16th beyond any thing delightful. We were introduced to Colonel Jolly, he seems Gentlemanlike. All the Jenny-park people were much disappointed at my not bringing *my Hero*, indeed *I found* it all very stupid without him. You don't mention Charles Phillips or Captain Campbell—I hope you did not forget to give my messuages. I hope you like Clara, she is one of the sweetest girls that ever breathed—the Byrne's come to us on Sunday next, I suppose you will come with them. How tormenting Major Campbell is with his Court Martial, keeping you from *me*; I no longer wish him to be *reprimanded*, but I hope he will be CASHIERED, and he ought; for in my opinion an Officer ought to be like Cæsar's wife, not only without guilt, but without suspicion. Col. Jolly's intended Nuptials has amused me particularly, "Sure such a pair, &c. &c." I am much flattered by the kindness of your Family. When do you expect General Sir John Doyle? We have not heard of, or from my Aunt—is it not very odd? How

very quick you have been about Ma's Repeater. I assure you I am grown very good, and practise a great deal and SLOWLY, particularly the Banks and Breas. The weather is intolerably hot; coming home last night, such flashes and lightning, and the Northern lights and Mars like blood, with a great fog, and as close as it was possible; indeed my blood is almost boiling, and the Thermometer in the Sun is up to 98. I hope I shall hear from you to-morrow, as your Letters afford me the greatest delight, and pray don't stay longer than Sunday, as you will find me like a skeleton. *The Drawing Room is full of Company, but I have stolen away to be with you. As for your Picture, it is worse than if I had not it, as it only puts me in mind of the loss I have in the Original being from me.—I like it because it is yours; I love it because it is like you, and I hate it because it is not you—it now never leaves me—I talk to it and it seems to look upon and listen to me. Adieu, my dearest Love, and believe me to be ever, and for ever, your most affectionate and warmly attached*

MARY NAPOLIANA BRYAN.

"I shall expect a long Letter from you every Day till you arrive, and I hope you will be able to make out my scroll, though I almost despair, as my hand requires to be known before it is legible. Pa. and Ma. send their best regards. I am grown a great gossip, and I'm sure you must be tired, so once more *farewell*."

"To Lieut.-Col. Sir John Milley Doyle,
K. C. B. and K. T. S.
No. 5, College-Green, Dublin."

(No. II.)

"*Jenkinstown, Kilkenny, August 6th* 1817.

"MY DEAREST BEST BELOVED,

"You most cruelly disappointed me by not Writing, but I cannot keep my resolution of doing the same: I received a most amusing anonymous letter yesterday, and wrote you a long letter, but when it was put in the box, I thought better of it, and asked Papa not to send it; I believe he did not, but on the first reading of the anonymous letter, I thought I recognised the hand writing to be C. P's, but on comparing it with

some verses I had of his, I found I was mistaken, and I thank God I was, as I may still admire him: and God knows who they came from. All I wish is, that of giving my hand to my beloved John, my heart was his long since, and I can make him envious or jealous; that I know how much I love and adore him, and that if the Saints themselves came down to command me not to love, it would be as impossible for me to obey, as it was for the waters of the Sea to recoil at the command of *Canute*. I hope to-morrow's post will bring a letter from you to your own MARY: love to Bessey, and ten kisses to little Anna, from her Mama *elect*, and tell her I long to give them, *de non propre Chef* and not by *proxy*. I count every day till the 18th the day that is to bring back my adored and most idolizing JOHN to his own MARY, the fever is very bad, but I shall try to prevent the first from being *postponed*: am not I good—for God sake my darling love, now you are at Cork, consult the Doctor there, you know you are so billious, and if by chance caught the infection, how much more dangerous would it therefore be, now do my dear love, and don't laugh at my silly and perhaps *Childish* fears; remember my happiness hangs on your health and love, which I hope I shall always retain, as you always will, that of adoring MARY; your Picture is almost tired of my kisses, and it now never leaves me, but looks and talks with me, (and listens to me which is better) and in fact it is my shadow night and day,—once more adieu.

Directed to Plaintiff as the last.

(No. 3.)

August 25th. 1817.

"MY DEAR BELOVED JOHN,

"*I cannot express what I felt on receiving your dear Letter, Mamma knowing my anxiety, brought it to me most kindly, the moment, it arrived, and I believe thought me near a fool, when she saw me burst out crying, but believe me they were tears of pleasure.* I can never thank you enough for so long and affectionate letter, I am now quite well, and thanks for your anxiety, it was merely nervous, and lowness

of spirits, occasioned by great anxiety; tell your Uncle from me, that I neither want, nor will receive, any of his expressions of regard, I am tired of *Blarney*, Acts, not Deeds for *me*; if he wishes to prove it, he has the measure in his power, however I shall inclose him a note in this, and my August Highness deigns to plead and intreat, let him dread the consequence of a refusal. Thank God your brother is so much better, and the little children, I hope by this they are quite out of danger; stay with your brother as long as you can, I dont want you at all, if you will but write; and if you knew the pleasure your letters gave me, particularly when like the one I received to day, you would write oftener. I am delighted you have taken a house in Town, as I think it will be much better for your Brother, to be removed for some time at least from the Glebe. Papa has finally settled that the Ceremony is to take place in Dublin, for *many reasons* which you would approve, but are too numerous to write, and then Dearest Love, we can come down *here* the first day on our way to Kilkenny, and which I shall like much better, and hope you will. I shall seal the General's note, as I dont chuse you to see our correspondence, for you might get a twinge of the green eyed monster. Now Dearest and best Beloved how can I have the heart to send any one to the post express such a day as this, besides you must have a letter from me *this morning*, which will assure you, of being well. If the General refuses my request, I never will entreat again, nor will it be in your power to get me to England, We go to Dublin three weeks before the first, and stay there till the first, and Pa, and Ma stay after us for four days—did you send Bessy my letter, I hope she is not inexorable, pray write by return of post, and believe me to be ever and ever my most beloved love, your

MARY.

You see I have dropped Napoliana, and the General may be vain of it, for you know it was a Herculean task.

(NO. IV.)

My Dear Darling John, My Beloved Husband,

I can hardly write, how can I bear the idea, to think you are at Cork, and I here, for God's sake come back to me, I die till your return, I am again clasped in your arms, I am well in health, but what is that when you are away. Kiss darling Anna a thousand times over and over again for me, I say I long to embrace her again, I hope she is very good, and does what Mama likes, *here they are all very kind to me, but they are not my husband, I have much to say, but all comprised in these words, I love you, write tell me how and when you arrived in Cork. Remember I am all alone, yes alone even in crowds, Papa and all try to amuse me, but I need not say, without success, my beloved adored John, ever your fondest and Idolizing*

Mary."

"*Remember Wednesday—Blessed Day!*"

[This Letter, though without date or place, was written from Jenkinstown.]

(NO. V.)

Emerald Cottage, July 15th 1818,

"My Beloved John,

"*You are very unkind, what could prevent your writing, do you so soon forget my anguish at parting, or did you enjoy it, or do you think it affected? indeed dear John, I did not expect this from you; but I care not, if my health is not dear to you, why should I mind fretting, from this hour I resign myself to illness, since you are unmindful of me. I shall be careless of myself*: If it gives you pleasure to hear it, God knows I suffer enough without a soul to care for or love me. Oh John! is it too much to put a pen to paper every day to me? five minutes would be sufficient each day, and that you think too much; I think you ought to feel it a pleasure to write me, it is like conversing for the time, but I now promise you, and

you may depend on it that if I am dying you shall not know it, nor will I have any advice; but perhaps there was some powerful preventative to your writing; but what motive could be powerful enough to make you neglect your fond wife, Oh! no, you could not throw her off so easily, I knew you could not, Oh! Darling John, only think what, and yet *dont you love your own poor Mary too well, to give her pain intentionally, and yet you promised I should hear from you to day, what could be the reason of your silence? I thought you would be uneasy and I stayed up half the night of sunday and yesterday to write to you thinking how miserable you would be if you did not hear from me*; and you had no feeling for me! Oh John! if you saw my sufferings, my illness, it would prevent your procrastination for the present, or promising what you never intended performing, and this, after seeing the agony I felt when you left me, you might have supposed I had not feeling; but adieu, I fear you care little about what I feel or think, however believe me your fondly doating, but unhappy wife

MARY DOYLE.

"Give the enclosed to Rumdle and Bridges, it belongs to my amethyst comb, and I forgot to put it in the box."

Directed to Plaintiff Dublin, or
Pall Mall, London.

(NO. VI.)

"*Emerald Cottage, July 18th*, 1818.

"Thank God in less than three weeks you must be back and restored to the fond embraces of your darling wife: how tedious fly the hours when absent from my beloved John, I fear you do not feel what I do—Oh! I wish I had gone with you, how my heart reproaches me for what I have often made you suffer, but surely *you know and feel I love you to distraction*, and you confide in me, you hardly know what pleasure I feel in the few dear words you said, "MARY I depend on you" Oh! yes, you may, God knows you may, *Oh! how*

my heart pants for its treasure to come home to it, to your own home, and is it not yours and only yours, Oh! how proud I feel of my own choice, yes you were, and God grant you may never repent of your choice, till I do of mine. Have you time for your picture to be done, yours is not like you, but dont delay bringing back the original. I see I have written on the topsy turvey of my paper, it will require some ingenuity to read it. You will be sorry to hear Mrs. Stephen Roche is dead; she broke a blood vessel inside. I wish I could find some news for you. Mahon, of the Baths, wanted a pound, but I said I would see him maddened first. Fitz is gone to Cove to-day to see his friend. Mrs. Y. has consulted Bullen, who desired her to try the Cold Bath, and she commences in a day or two; she is much pleased with him, he has made her throw off her *muffling*, and she fancies herself better. Did you see Skinner. My parcel left London on the 6th of this Month—are the Hamlets and Greens returned. How I wish Marian and Betsey would come to me, but I fear it is a hopeless case. If I hear any news I will write you. I am going to pay many visits to-day, as yet, *am en chemise*, so must speedily conclude, with every assurance of the fondest love a wife can feel for her adored Husband.—Your own, own

"MARY."

"I bathed twice yesterday, and it agreed delightfully with me. It is dreadfully hot—is it so with you?—God love me also with the same adoration I do you. Write me a long Letter and cross it if you can.

"M. D."

(Directed to London.)

(NO. VII.)

"My Beloved, Darling, Idolized Husband,

"*Excuse the Letter I wrote this Morning; I wrote pettishly, very pettishly, but conceive it was enough to provoke me, I only got yours of the 20th this Evening, and I was told all the Packets were arrived, and Fitz said the Letter only took three days coming. Pray forgive me, I am ill, and therefore irritable; but not*

very ill; do not be alarmed, I am more nervous than any thing else, and now I have heard from you, will soon be well; my tears are of joy now, before they were of misery; but you still love me, and I am happy. You don't talk of coming back. Oh! I shall be again clasped to your Bosom, mine pants for you; without you I am wretched, my Bed is lonely and miserable.—Oh! come back my beloved; come back to your own Wife; where can you be so happy as with her? What are your Sisters or your Uncle to your own Wife?—No, not one of my Relations or Friends could keep me an hour from you, and you know it. I hope to hear from you by to-morrow; I don't want Blessings, I want Love, and you to be with me. I shall not tell you any thing till you come. Mrs. Gillespie is given over; Mrs. Hawkins told me. I love you always with the most unbounded affection—ever your own, own, fond

"MARY."

"I did intend this to be a long Letter, but a man is going to town, and lest my former Letter should have annoyed you, I send this; I shall write again to-morrow, but the post is so uncertain from this, you must not be grieved when you don't hear from me; always bear in mind it is not my fault. I am much better this morning, and love you with raptures. John, think of me always; at 8 in the Morning I always pray for my Blessed John, and Adored Husband—think, and we shall then be thinking of each other. But I always think of you, do you of me? Oh! no, you have Sisters and Uncle—and you will think me jealous, but I won't bear another to participate in the heart which I wish to be *all* my own. When may I expect you? If you don't come before your *leave* is out, I shall not think you love your own, own

"MARY."

Directed to London.

[It is without Date, but must have been written the 25th July.]

(NO. VIII.)

(DON'T BITE YOUR NAILS.)

"*Dated Jenkinstown, July 16th* 1817.

"MY DEAR AND BELOVED COLONEL,

"I have been walking a great deal with your Copy Deed; have just found out to my great misery, that it has got pink eyes, not *red*, but a bright *pink*, so my dear little shamrock is now "my only solace." Pray, hasten your return to me as much as in your power, for I already feel very lonesome, without my dearly and I fear too much beloved hero, but I must confess I would not wish (while *you* love *me*) to love or idolize you, *less* than I do, *more* I *cannot* that *you know*. I am convinced that you will not be able to read this scroll, but spell it, or send it to the clerk of the parish, and if that won't do, see if Lancaster can assist you; give my kindest love to Bessy, and kiss Anna Maria* for me, and say her Mama elect longs to embrace her: remember me in the kindest manner to Mr. C. Doyle, and tell your Mammy how very anxious I am to know her.

I beg and entreat you not to take calomel, or dose yourself with any thing but *wine* till I see you again, and if I make you pervous don't think of me; *pray mind the top of my letter*: the luncheon bell is ringing, and you must acknowledge the force of that call, but I beg of you to be assured, that nothing can diminish the love, respect, and adoration, I feel for my beloved hero, or (if you like it better) my much loved John, that you I hope believe the sincerity of her pen is the first wish of the heart of your "MARY."

Directed to Plaintiff, Cork.

* This is the Child alluded to in the defence, and stated by Defendants Counsel to have been forced upon Lady Doyle, "*ere the Virgin Bloom was off her Cheek, or the Bridal Clothes were soiled.*"—Vide Mr. North's Speech.

APPENDIX.

(NO. IX.)

London, October, 7th, 1810.

My Dear John,

"Feeling myself better this morning than I was yesterday, and more composed, I am desirous of expressing myself more fully on the subject of your truly Kind Letter, than I was in a state to do yesterday; I have reflected on all the circumstances of our first union, of our subsequent happiness, and our late differences; and particularly on the situation in which my Lamented Aunt's death has placed you and me. I have passed in review the many causes of displeasure I have given you, and I feel the most unfeigned gratitude for your kind, considerate, forbearing, and generous conduct at all times; but more particularly at the present, in offering to restore to me your Protection, and a revival of your Affection, I I must acknowledge unconditionally, for as you justly remark, the conditions are such as the feeling of a Gentlewoman, a Wife, and a Christian, should induce me to observe without being required by you to do so, Therefore I solemnly promise that my conduct towards you, both in Public and in Private, shall during my life be such as becomes a Prudent, Virtuous, and Obedient Wife; and to prove my sincerity I will enter into particulars, convinced as I now am, that it is not sufficient for a wife to be Virtuous, but that she must not by levity of dress, speech, or manners, give rise to suspicions; I promise in all these respects to do what Modesty Prudence, and a just respect for your wishes may require, and I trust my dear John, that you do not think it necessary for me to make promises in essential points, which promises might imply a confession of impropriety, of which *no person will dare accuse me*; my great misfortune has been an ignorance of the Malignity of the World, and a disregard for Public Opinion, which you know might have arisen from a conscious innocence that despises its injustice more than from any disposition to set it at defiance.

"As to any plans you may adopt my Dear John, in respect to Residence, Expenditure, Servants, and other domestic arrangements, I will most

readily submit to your wishes. I know your Good nature too well not to trust to you without murmur or reserve; that heart which has shewn itself to me in so many affectionate ways, will never require of me one painful sacrifice; but no sacrifice can be painful that can tend to consolidate our mutual happiness.

"After this letter my Dear John you will not delay to relieve me by your presence, from a state of affliction and agitation which I cannot endure, and that you will repeat your Heart pressed to mine, that you love me as much as you are beloved by your

Affectionate Wife,

MARY B. DOYLE."

Lieut. Col. Sir John M. Doyle.

(NO. X.)

Hampton Court.

"MY DEAR JOHN,

"I should feel for ever obliged to you, if you would let me stay with George here during your visit to Ireland; and as I shall live a most secluded life under the care and protection of him and Mrs. Fitzgerald, there cannot be any impropriety, as I shall be under their guidance—and believe me if you consent, your kindness will never be forgotten by your most affectionate Wife,

"MARY B. DOYLE."

29th of October, 1819.

(This was the last Letter ever received by Sir John.)

(NO. XI.)

"MR. BILTON,

"Be so good as to tell CONNELLY, that I did not wish him to forward any Letters coming to your House, except the one with the £30: as I expect to be back in Town in a few days, as the Parcel I was to have brought from your Hotel for LADY DOYLE, had not Arrived when I left it; you had better keep it for herself should it come, and not give it to *any one* without her Order in Writing,

"Your Obedient Servant,

"G. P. BROWNE."

There is no date to this Letter, but the Post-mark of Holyhead of the 9th November is on it, (being the day after MR. BROWNE left Dublin.

(NO. XII.)

"*Cheltenham September 22nd*, 1819.

"My Dear Bryan,

"It has occurred to me that you could not have recourse to a better person than to Mr. Charles Butler, of Lincoln's-Inn, in case of any Paper being offered for Signature, either to You or your Sister, without his advice, or some other person of respectability; it might be most injurious to your interest to do so.—I think I heard you mention something about a Mr. Cruise, why not have recourse to him? Lawyers Fees are of trifling consequence in a matter of such importance."

"No letters have arrived for either you or your Sister—Powell's Bill amounts to 19l. 18s. 6d. so that the change 11s. 6d. I shall hand to your Servant for you. Mrs. Ruding sends a Bracelet of Lady Doyle's, which she found at her house; pray write me a line by to-morrow's post, as I feel anxious to hear how you got to town, and find all matters. I shall certainly go to Ireland on Saturday; give my sincerest regards to your Sister, and hopes that she may get over her journey pleasantly.

"Truly yours,

"G. P. BROWNE."

"Directed to
George Bryan, Jun. Esq.
Care of
Messrs. Hammersly, & Co.
Bankers, London."

(NO. XI.)

Saturday night, 13*th. Nov.* 1819.

GEORGE BRYAN, JUN. Esq.

"When you receive this I shall be many miles off, on my road to the Continent, I know and feel for *your distress* and that alone prevented my taking this step long since, God knows how. *I love* and feel for you, but I never can live with Sir John again, *it is impossible* pursuit will be useless, once on the Continent it will be impossible to find us, and we shall use expedition; but by all the affection you can feel for me. I intreat you not to raise your arm against my now sole protector, you may kill him, and what good will it be to you? that then I shall be completely friendless, *your pain* grieves me, and it *alone* has required a struggle, if you have any affection left, make Sir John get a Divorce; may I still sign myself your attached and devoted but agitated Sister

MARY.

"George to my latest breath will I bless and love you. I never may see you again, a tear has fallen it is your sisters.—Adieu for ever.—Abuse not the servants no one is privy to my departure."

Numerous other Letters were attached to the Briefs, but not having been read in Court, we deem it indelicate to Publish.

FINIS.

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